

United States District Court

for the

Eastern District of New York

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **Christopher Perdue**

Case Number **04-CR-137**

Name of Sentencing Judicial Officer: **The Honorable Jack B. Weinstein, Senior U.S. District Judge**

Date of Original Sentence: **February 17, 2005**

Original Offense: **26 USC 7206(2), Tax Fraud, a Class C Felony**

Original Sentence: **5 Years Probation, 6 Months Home Confinement, and \$100 SAF**

Type of Supervision: **Probation**

Date Supervision Commenced: **February 17, 2005**

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

"The defendant shall refrain from the use of alcohol and all other illegal substances. The defendant shall participate in substance abuse treatment and testing with a provider selected by the Probation Department. Treatment may include outpatient or residential services as well as drug testing. I shall contribute to the cost of services rendered via co-payments or full payment in an amount to be determined by the Probation Department, based upon the my ability to pay and/or the availability of third party payment."

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CAUSE

Between June 1, 2005, and June 4, 2005, the offender absconded from home confinement with electronic monitoring, and his whereabouts were unknown to his wife and son.

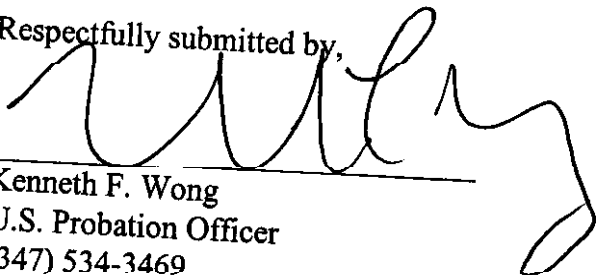
On June 4, 2005, the undersigned officer found the offender at home and he was apparently recovering from a drunken stupor. Upon questioning, the offender admitted that for the past four days he had been on a crack cocaine and alcohol binge. Specifically, the offender reported that he had used approximately \$150 worth of crack cocaine, and consumed vodka. The offender also revealed that he was staying with a friend, Ms. Calloway, who lived three doors away from his apartment. The offender then stated that he had a "problem" and asked the undersigned officer for immediate help.

As such, the undersigned officer drove the offender to ACI (a detox/drug treatment center) in New York City, and admitted the offender for a 5 day detox program followed immediately by a 28 day residential drug treatment program. Recent contact with ACI reports that the offender is responding to treatment.

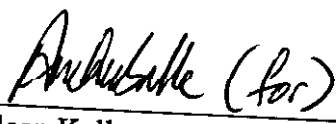
It is noted that predicated upon the offender's enrollment with ACI, the undersigned officer elected to disconnect the offender from electronic monitoring.

On June 9, 2005, the offender was presented with a Waiver of Hearing consenting to modifying the conditions of supervision to include inpatient/out patient drug treatment as approved by the Probation Department. We respectfully request that the Court approve of this modification.

Respectfully submitted by,

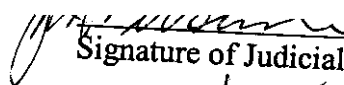

Kenneth F. Wong
U.S. Probation Officer
(347) 534-3469

Approved by,


Eileen Kelly
Deputy Chief U.S. Probation Officer
Date: 6-29-05

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer

7/11/05
Date

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NEW YORK

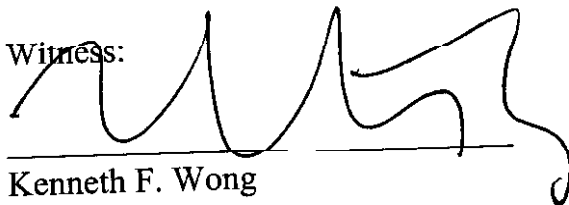
Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

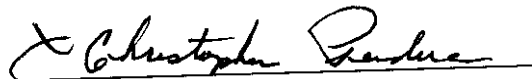
The offender shall participate in a residential and an out-patient drug treatment program as approved by the Probation Department.

Witness:



Kenneth F. Wong
U.S. Probation Officer

Signed:



Christopher Perdue
Probationer or Supervised Releasee

6/9/05

DATE